

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

On December 22, 2006, plaintiff filed a Motion for Reconsideration [23] of the order filed December 8, 2006 granting the defendant's Motion to Stay Proceedings and Compel Arbitration. Plaintiff also requests an extension of time to December 29, 2006 to file a brief and evidence in support of the motion to reconsider. The motion is contested. *See* Filing [24].

Under NECivR 60.1(e), the magistrate judge has "the discretion to docket a motion for reconsideration of the magistrate judge's order as an appeal to the district judge, pursuant to Nebraska Civil Rule 72.2 and 28 U.S.C. § 636(b)(1)(A)." I am not inclined to reconsider the matter in question; however, pursuant to NECivR60.1(e),

IT IS ORDERED:

1. The Clerk shall docket plaintiff's Motion for Reconsideration [23] as an appeal to the district judge pursuant to NECivR 72.2 of the December 8, 2006 Order [22].
2. Noting defendant's objection, plaintiff is given an extension of time to December 29, 2006 to file a brief and evidence in support of Filing [23].

DATED December 27, 2006.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge